

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

JOHNNY FLORES, ARIEL GOMEZ and)	
DERRICK LEWIS, for themselves and)	
others similarly situated)	
)	Case No. 1:20-cv-01128
Plaintiffs,)	
)	Judge Charles R. Norgle, Sr.
v.)	
)	Magistrate Judge Jeffrey I. Cummings
MOTOROLA SOLUTIONS, INC. and)	
VIGILANT SOLUTIONS, LLC,)	
)	
Defendants.)	

**DEFENDANTS MOTOROLA SOLUTIONS, INC.
AND VIGILANT SOLUTIONS, LLC’S
MOTION FOR SUMMARY JUDGMENT**

Defendants Motorola Solutions, Inc. and Vigilant Solutions, LLC (collectively, “Defendants”) move for summary judgment against the individual claims of Plaintiffs Flores, Gomez, and Lewis pursuant to Federal Rule of Civil Procedure 56. If new proposed Plaintiffs Sanders and Simmons are added to this case before the disposition of this motion, Defendants also move for summary judgment against the individual claims of those Plaintiffs.

This Court should dismiss these Plaintiffs’ individual claims because there is no genuine issue of disputed material fact as to those claims, and thus Defendants are entitled to judgment as a matter of law. The grounds for this motion are set forth in the accompanying Memorandum of Law in Support (“Memo.”), Local Rule 56.1 Statement of Undisputed Material Facts in Support, and Declarations in Support of this motion. In sum, for each of these following reasons, Defendants’ motion should be granted:

- These Plaintiffs’ alleged claims are precluded by BIPA’s government-contractor exemption. *See* Memo. Section I at 8-14.

- These Plaintiffs' alleged claims are precluded by the First Amendment to the United States Constitution. *See* Memo. Section II at 14-20.
- These Plaintiffs' alleged claims are precluded by the Dormant Commerce Clause of the United States Constitution and other intergovernmental doctrines. *See* Memo. Section III at 20-26.
- These Plaintiffs' alleged unjust enrichment claims fail because their BIPA claims fail. *See* Memo. Section IV at 26-27.

Dated: December 8, 2021

Respectfully submitted,

DEFENDANTS MOTOROLA SOLUTIONS, INC.
AND VIGILANT SOLUTIONS, LLC

By: /s/ David C. Layden
One of their attorneys

David C. Layden
dlayden@jenner.com
Andrew W. Vail
avail@jenner.com
JENNER & BLOCK LLP
353 North Clark Street
Chicago, Illinois 60654
312-840-8688